

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 16, 1981

3:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy

Absent: Mayor Pro Tem Trevino

MINUTES APPROVED

Councilmember Mullen moved that the Council approve the minutes for regular meetings of August 26, 1981 (as corrected); August 27, 1981; September 2, 1981; September 3, 1981; and special meeting of August 31, 1981. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman,
Mullen, Urdy

Noes: None

Absent: Mayor Pro Tem Trevino

September 16, 1981

~~CITY OF AUSTIN, TEXAS~~

Councilmember Mullen moved that the Council approve the minutes for regular meetings of September 9 and 10, 1981: The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy
Absent: Mayor Pro Tem Trevino
Abstain: Mayor McClellan

At this point, Mayor Pro Tem Trevino entered the Council Chamber.

EMINENT DOMAIN PROCEEDINGS

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for the Barton Creek Park and Greenbelt Project, Ph. II: 6.84 acres of land out of the Alexander Eanes Survey. (Eva D. Massey, et al). The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

CAPITAL IMPROVEMENTS PROGRAM

Mayor Pro Tem Trevino moved that the Council adopt a resolution acquiring certain land for the East Riverside Drive Project, Wickersham to East Ben White, C.I.P. No. 73/62-03: 5,953 square feet out of the Santiago Del Valle Grant. (East Riverside Drive) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

EMINENT DOMAIN PROCEEDINGS

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for Yellow Jacket Lane street improvements in CDD Project #12:

1,370 square feet of land out of the Santiago Del Valle Grant. (Pauline Nanyes, et al, owners)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

RELEASE OF EASEMENTS

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing release of easements as follows:

A 2' portion of a 5' Public Utility Easement located on Lot 9, Block 3, McGuire's Subdivision No. 1, 4112 Ramsey Avenue. (Requested by Malcom C. Smith for Randy Baird)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing release of easements as follows:

A portion of a Public Utility Easement located on Lots 8 and 9, Laguna Loma Subdivision, 1707 Laguna Loma Cove. (Requested by Carlson, Dippel and Marx)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a 20' Public Utility Easement recorded in Volume 3779, Page 1941 of the Travis County Deed Records, 1707 Laguna Loma Cove) and located on lots 8 and 9, Laguna Loma Subdivision. (Requested by Carlson, Dippel and Marx)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

APPROVAL OF CONTRACTS

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

WORTHINGTON PUMP CORPORATION 9575 Katy Freeway, Suite 390 Houston, Texas	- Discharge Bowls for Water Pumps, Electric Utility Department Item 1, 2 ea. - \$66,848.00
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

HOLT MACHINERY COMPANY 9601 Interregional Hwy. Austin, Texas	- Caterpillar Earth Moving Equipment Captive Parts, Vehicle and Equipment Services Department Twelve (12) Months Supply Agreement Item 1 - \$60,000.00
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

S & L SEAGRAVES SALES, INC.
2815-B East 5th Street
Austin, Texas

- Seagraves Fire Apparatus Captive
Repair Parts, Fire Department
Twelve (12) Months Supply Agreement
Item 1 - \$50,000.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

HOUSTON WIPER AND MILL SUPPLY COMPANY
9800 Market Street
Houston, Texas

- Hooded Rainsuits, Purchases and
Stores Department
Twelve (12) Months Supply Agreement
Item 1 - \$9,200.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

AUSTIN PIPE AND SUPPLY SOMpany
300 Medina Street
Austin, Texas

- Manhole Covers, Inlet Covers and
Inlet Grates, Purchases and Stores
Six (6) Month Supply Agreement
Item 1-5 - \$9,619.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

STRANCO
Route 1
Bourbonnais, Illinois

- Pool lift for the Handicapped,
Parks and Recreation Department
Item 1, 1 ea. - \$7,565.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

TEMPORARY STREET CLOSINGS

Mayor Pro Tem Trevino moved that the Council adopt a resolution to temporarily close the following street:

COLORADO STREET from 10th Street to 11th Street on October 6, 1981 from 10:00 a.m., to 6:00 p.m., as requested by Mr. Dow Griffith representing Universal City Studios.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution to temporarily close the following street:

RIO GRANDE from Martin Luther King, Jr., Boulevard to 18th Street on Tuesday, October 6, 1981 from 5:30 a.m. to 4:00 p.m., as requested by Mr. Dow Griffith, representing Universal City Studios.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution to temporarily close the following street:

25TH STREET from Pearl to San Gabriel on September 24, 1981 from 3:00 p.m. to 7:00 p.m., as requested by Mr. Steve Trevino, representing the Posse.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

PARKING METER ZONES

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing installation of the following parking meter zones:

<u>METER TYPE</u>	<u>STREET</u>	<u>LOCATION</u>	<u>SIDE OF STREET</u>
120 minute	Neches Street	500 block	East and West
120 minute	Neches Street	400 block	West
300 minute	East 5th Street	400 block	North and South
120 minute	East 7th Street	300 block	North and South
120 minute	East 7th Street	400 block	North and South
120 minute	East 7th Street	500 block	North and South
120 minute	East 7th Street	600 block	North and South
120 minute	West 13th Street	500 block	North and South
120 minute	Nueces Street	1100 block	East and West

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

REBEKAH BAINES JOHNSON
CENTER

Mayor Pro Tem Trevino moved that the Council adopt a resolution selecting Robert Jackson for architectural services in connection with renovations to Rebekah Baines Johnson Center, CAPITAL IMPROVEMENTS PROGRAM 82/91-02. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

GRANT EXTENSION REQUEST

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing submission of a grant extension request to the Texas Energy and Natural Resources Advisory Council for implementation of the Comprehensive Community Energy Management Program. (\$62,700 State funds; \$115,500 City in-kind October 1, 1981 through September 30, 1982) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

MUD NO. 1

Mayor Pro Tem Trevino, moved that the Council adopt a resolution granting the consent of the City of Austin to the assignment of agreements relating to the South Austin Growth Corridor Municipal Utility District No. 1. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

MUD NO. 1

Mayor Pro Tem Trevino moved that the Council adopt a resolution granting the consent of the City of Austin to the annexation of land to the Williamson County Municipal Utility District No. 2 (Brushy Creek). The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
 Noes: None

REDUCTION OF CETA CONTRACTS

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing reduction of the FY 1981 CETA Title IV contracts by the following amounts as required by federally mandated fund recissions.

1. Austin, Area Urban League	\$ 4,979
2. Education Service Center	8,568
3. SET Jobs for Progress, Inc.	9,191
4. Youth Employment Service	7,731
5. Williamson-Burnet County Opportunities, Inc.	<u>12,396</u>
Total	\$42,865

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
 Noes: None

AFFILIATION AGREEMENT

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving an affiliation agreement between Austin Community College and the City of Austin for the use of the Brackenridge Hospital Laboratory as a clinical training site for Medical Laboratory Technician students. (No cost to the City - Recommended by the Hospital Board). The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor McClellan
 Noes: None

CULTURAL CONTRACT PROGRAM

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing submission of an application to the Texas Commission on the Arts for \$6,000 to create a half-time position for nine months to assist in the administration of the City's 1981-82 Cultural Contract Program. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

DOWNTOWN REVITALIZATION TASK FORCE

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving enlargement of the Downtown Revitalization Task Force from its present thirteen members and making it a seventeen member group. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Urdy, Mayor McClellan
Noes: Councilmember Mullen

PUBLIC HEARING SET

Mayor Pro Tem Trevino moved that the Council set a public hearing for 3:45 p.m. on October 29, 1981 on the limited purpose annexation of the Los Altos Subdivision. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Mullen, Urdy, Mayor McClellan
Noes: None

AMENDMENT TO UTILITY SERVICE AREA POSTPONED

Mayor Pro Tem Trevino moved that the Council refer the amendment to utility service area to include land (approximately 81.77 acres) adjacent to Pecan Meadows Subdivision to the Planning Commission for further review and did not pass resolution. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,
Goodman, Urdy, Mayor McClellan, Councilmember Mullen
Noes: None

CITIZENS GUIDE TO BUDGET

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing the publication of Citizen's Guide to the Proposed 1981-82 Annual Operating Budget in various city newspapers. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan, Goodman, Urdy, Mayor McClellan, Councilmember Mullen
Noes: None

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

24.57 ACRES OF LAND, LOCALLY KNOWN AS 206-304 & 207-303 MEADOW LEA DRIVE, 7100-7204 & 7101-7207 WISHING WELL DRIVE, 7006-7200 & 7007-7203 LUNAR DRIVE, 200-316 & 201-317 KIMBERLY DRIVE, 300-402 & 301-407 TAWNY CIRCLE, 7100-7110 & 7101-7111 TAWNY CIRCLE, 7009-7203 SHADYWOOD DRIVE, 7100-7106 & 7101-7107 LYRIC DRIVE, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin Planning, C14-81-131)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Deuser
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1-5 MAPLE RUN, SECTION TWO-B; LOTS 1-10, BLOCK C, MAPLE RUN, SECTION TWO-A, LOCALLY KNOWN AS 3500-3508, 3510-3900 AND 3601-3903 ALEXANDRIA DRIVE; 8202-8206 & 8203-8205 CROFTWOOD DRIVE; 8300-8408 & 8410 HORNET DRIVE; 8210 & 8300 BRODIE LANE; AND ALL OF COUNSELOR DRIVE, CASPIAN DRIVE, CAYUGA DRIVE, HOBBS COVE AND ARROW DRIVE, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bill Milburn, Inc. C14-81-115)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor
McClellan, Mayor Pro Tem Trevino, Councilmember Deuser
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A TRACT OF LAND CONTAINING 17.907 ACRES OF LAND, LOCALLY KNOWN AS 6413-6811 INTERSTATE 35 (REAR); 803-1001 CAMINO LA COSTA; AND 904-1000 LA POSADA, FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, THIRD HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Land Equities, Inc. C14r-81-129)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor
McClellan, Mayor Pro Tem Trevino, Councilmember Deuser
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE CITY OF AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 1.925 ACRES TRACT OF LAND SAVE AND EXCEPT A .375 ACRE TRACT OF LAND DESCRIBED BELOW AS TRACT 2, OUT OF THE FRANCISCO GARCIA SURVEY, FROM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND

TRACT 2: A .374 ACRE TRACT OF LAND OUT OF THE FRANCISCO GARCIA SURVEY, FROM INTERIM "AA" FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 13113 BURNET ROAD; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (A & M Group, C14r-81-111)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan, Councilmember Deuser

Noes: None

Abstain: Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.374 ACRE TRACT OF LAND, LOCALLY KNOWN AS 10930 RESEARCH BLVD., FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Robert E. Parris, C14r-81-121)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmember Deuser

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A .42 ACRE TRACT OF LAND, LOCALLY KNOWN AS 13900-13902 RESEARCH BLVD., ALSO BOUNDED BY FM 620, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, WILLIAMSON COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (AP 803, LTD., C14-79-126)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor
McClellan, Mayor Pro Tem Trevino, Councilmember Deuser
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 4 AND 5 AND THE NORTH 28 FEET OF LOT 3, BLOCK 30, ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, LOCALLY KNOWN AS 311-319 CONGRESS AVENUE, FROM "C-2" COMMERCIAL, FOURTH HEIGHT AND AREA DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC, FOURTH HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Trammel Crow Company, C14h-81-011)

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor
McClellan, Mayor Pro Tem Trevino, Councilmember Deuser
Noes: None

The Mayor announced that the ordinance had been finally passed.

OPERATING BUDGET AMENDMENT

Mayor McClellan brought up the following ordinance for its third reading.

AN ORDINANCE AMENDING THE 1980-81 OPERATING BUDGET BY APPROPRIATING FUNDS FROM THE GENERAL FUND ENDING BALANCE, THE HOSPITAL FUND ENDING BALANCE, AND THE UTILITY FUND ENDING BALANCE AND TRANSFERRING FUNDS TO VARIOUS CITY DEPARTMENTS; AND DECLARING AN EMERGENCY.

The ordinance was read the third time, and Mayor Pro Tem Trevino moved that the ordinance be finally passed. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino
Noes: Councilmembers Duncan, Deuser

The Mayor announced that the ordinance had been finally passed.

From the General Fund Ending Balance:

Medical Assistance Program	\$1,605,869
Public Works	100,000
City Manager	40,375
Municipal Court	11,316

From the Hospital Fund Ending Balance:

Brackenridge	1,955,119
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From the Utility Fund Ending Balance:

Electric	58,469,912
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TRAVIS COUNTY APPRAISAL DISTRICT

Mr. Jack Klitgaard, Tax Assessor Collector, reviewed for Council the New Procedures on Board Composition for the Travis County Appraisal District. "The terms of the present board will expire this coming December 31st. The 3/4 rule was invoked in Travis County and this new method of selecting representatives to the County Appraisal Board of Directors was agreed on late in 1980. The Austin Independent School District selects two members to this board. The City of Austin selects two members to the board and the two districts combined select another member so there are a total of five members selected by the AISD and the City of Austin. Travis County, as a political subdivision also selects two members to the board and all the participating units in the eastern part of the County select one member and those participating units in the western part of the County also select one member, making a nine member board. There are 16 participating members with voting privileges in Travis County, all the communities, cities and towns, plus all the

Independent School District's, plus the County of Travis, comprise the 16 voting districts. There are a total of 25 districts that participate in the valuations to be established by the Travis County Appraisal District but the remaining nine are municipal utility districts and water control districts which under the law do not have voting privileges. (He then referred to charts showing composition of a board without invoking the 3/4 rule following the procedure for electing the board members as defined in the statute.) The statute says that each participating district with voting privileges will have their vote contingent upon the tax levy as it bears to all tax levies within the county, so the chart will show that AISD, having the highest levy in the Travis County has 2,510 votes; Austin 1,395; Travis County 700 votes; and all the remaining districts only 395 votes, using the formula as stipulated in the statutes for selecting members to the Board of Directors. This type of board would consist only of five members as opposed to nine members that are presently on the Board of Directors. If the 3/4 rule were not invoked for Travis County the structure would leave the AISD being able to elect three members to this board, the City of Austin would be able to elect one member and all the rest of the participating districts, including Travis County, would be able to elect one member.

"Last session of the Legislature made some amendments to the State Property Tax Code that changes the method of electing or selecting board members under the 3/4 rule. There are three things to bring to Council's attention that are significant if the 3/4 rule is invoked. Number 1 is that if one or more taxing units have a majority vote in the County and this is true in our case because AISD by itself has a majority vote in Travis County. If the majority is calculated under the normal procedure described in the Statute the new procedure, 3/4 rule, may not reduce the voting strength below the majority position, so if 3/4 rule were invoked in Travis County the method of selecting the boards of directors would have to leave the AISD with the majority vote on the board. If not, the formation of the particular board of directors would be illegal and invalid. The exception is if the School District agrees to it, then it is all right, but unless they do, it would not be proper under the law as it exists today. This to say the nine member board that we have worked under for the past year could not be a legal board in the future and it is unfortunate because I would like to say it has been, as far as my Department and my board, it has been good to work with. The second part of the change in this method, if the 3/4 rule is invoked, is no voting taxing unit may have its voting strength reduced below 50% of its strength as calculated under the normal formula unless its share of the appraisal district's expenses is correspondingly reduced.So in the selection process, whichever route the City Council and the other participating districts take, there should be exercised so nobody's vote is reduced by as much as 50%, otherwise the other districts are going to be picking up added expenses.

"The third and final limitation that was added to the Property Tax Code by the last session of the legislation is that no new procedure may provide that the taxing units other than City schools and counties will be given voting privileges on this board of directors. There had been some talk previously before the Legislature of allowing water control districts, etc. to have voting privileges. This cannot be and there was some question in invoking the 3/4 rule that they might be able to change this method but this was stopped by the Legislature. ...If it is Council's wish that we follow the statutory method then by October 14 the City Council must submit resolutions nominating the persons to the board and deliver it to the County Clerk. All districts must have their nominations in hands of the County Clerk by October 14th."

Mayor McClellan suggested, "...the Council will concur the Tax Appraisal Board has been working very well together.I would like to see us approve it as is and hope the School District does likewise and then we don't need to go through this procedure as I understand it." Mr. Klitgaard said "This is contingent upon the School District doing this and we need to make the Council aware of the shortness of time by invoking the 3/4 rule because this action must be completed by the last of this month."

Motion Made and Withdrawn

Councilmember Goodman made a motion, seconded by Councilmember Trevino to approve the composition of the board for the Travis County Appraisal District as is. Motion was withdrawn when it was affirmed Council was not posted for this action. Request was made to post for the September 17, 1981 agenda approval of nine members.

CITIZEN COMMUNICATION

Mr. Bill Bode requested to speak at the end of the meeting. He passed out a report to Council and discussed it. (CITY CLERK DID NOT RECEIVE A COPY.) (It was not the end of the meeting but Council knew they would recess until 5:00 p.m. public hearing)

POLICE RETIREMENT BOARD REPORT

Sgt. Jerry Spain, Police Department, presented a report of the Police Retirement Board with recommendations to increase retirement contributions. He discussed funding for additional staff support and investment related services. Yearly cost to the City will be \$133,000.00 from the General Fund. Assistant City Manager Jorge Carrasco said that this is not included in this year's budget. Mayor McClellan said the recommendation is fine but it should be taken up during budget decisions. The Mayor also asked for a report on figures on other retirement plans. Mr. Carrasco gave a report to Council, which Mr. Scheps, Finance Director, explained. (CLERK DID NOT RECEIVE A COPY) Councilmember Mullen said he favors the concept but wanted to know if there is a duplication of effort concerning the Fire Department and Police Department. He thought there should be a job description on who is hiring, etc.

RECESS

Council recessed its meeting at 3:10 p.m. and resumed its recessed meeting 5:20 p.m. Councilmember Goodman was absent from the recessed meeting.

ROBERTSON HILL DRAFT PLAN

Mayor McClellan opened the public hearing set for 5:00 p.m. on the Robertson Hill Draft Plan. Mr. Badgett reported on the plan. (REPORT ON FILE IN CITY CLERK'S OFFICE)

Mr. Ed Badgett, Assistant City Manager, introduced the Committee. He also listed the advantages and disadvantages of the plan.

Mr. Lee, Robertson Hill Committee, said they are ready to forward the plan to HUD for approval. He thanked members of the City staff for their assistance and said they plan testimony to HUD so the community and staff can work hand in hand.

Mr. Lillie told Council the Planning Commission had a sub committee meeting regarding the plan.

They raised questions concerning maintaining and developing the area. They recommend the planning process continue and will appreciate the opportunity to get back with the Robertson Hill Steering Committee and evaluate questions raised.

Discussion ensued.

Mayor Pro Tem Trevino, concerning discussion of the deadline, stated, "I want it for the record that the boards and commissions may have some valid questions but on the other hand, we are faced with a deadline and if we piddle around and go beyond the deadline then we stand a chance of being criticized by HUD and maybe stand a chance of not only being criticized but penalized." Mr. Badgett said it is important for the City to get a plan into HUD before September 28 to protect the funds for this particular neighborhood.

Councilmember Urdy said the CDC would like to review the Plan. More discussion followed. Mr. Ben Sarratt, vice chairman, Community Development Commission, appeared before Council and said they are concerned that there may be an effect on the 7th year money. He said they will meet September 21 and have comments back to Council on September 22nd.

Mr. Badgett commented that Robertson Hill Steering Committee did not work in isolation but worked with several City departments. The figures show an average of \$11,500 per house.

Ray Galloway, co-chairman, Robertson Hill Steering Committee, said they feel their community has been overlooked. They would like to see their program fulfilled.

Mayor Pro Tem Trevino stated for the record he will support money for this project. Mr. Galloway said he wants it in the record that the Robertson Hill area supports Chief Dyson and the Police Department in clearing up crime in the area.

Ms. O.B. Conally appeared before Council to say that all they can do as a committee is plan. The Council can give them actual help.

James E. Hamilton, member of the Steering Committee, discussed the draft of the Plan.

County Commissioner Jimmy Snell appeared before Council to congratulate the Council and citizens for getting together to complete the project. He said he wanted to go on record, as County Commissioner, in support of the project.

LaBarbara Flye appeared before Council to ask their support of the Plan.

Effie Taylor, member of the Steering Committee, told Council more housing is needed in East Austin so the young people will come back to Robertson Hill.

Councilmember Urdy is of the opinion that the overall plan is very good.

Motion

Councilmember Urdy moved that the Council close the public hearing, adopt the Plan; instructed the Planning Commission and Community Development Commission to review and comment; and Plan will be subject to amendment on September 23, 1981. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

ADJOURNMENT

Council adjourned its meeting at 6:30 p.m.

APPROVED

Carole Keeton McAllister
Mayor
Kylander
10/19/81

ATTEST:

Grace Monroe
City Clerk